

**6:00 P.M. Presidents Drinking Water  
Oversight Committee**

**CITY OF LEOMINSTER**

**CITY COUNCIL**

**OCTOBER 9, 2007**

**HEARING BEFORE THE CITY COUNCIL, 7:00 P.M.**

(Continued from September 24, 2007)

- 14-08            Steven P.Perla, Paul O. Perla, Paula M. Perla and Orlando J. Perla II:  
Amend Chapter 22 of the Revised Ordinances entitled “Zoning” to change  
the Leominster Zoning Map to rezone 1.08 acres by removing from the  
Residence A and Agriculture (RAA) District and including in the  
Commercial (C) District those portions of property at 1072-1072R Central  
Street, identified as Assessors’ Map 501, Lots 4 and 9, that are not  
presently in the Commercial District, such that all of said lots will be  
included in the Commercial District.(Legal Affairs)

**HEARING BEFORE THE CITY COUNCIL, 7:30 P.M.**

Relative to Amending Chapter 13, Section 23-34 of the Revised  
Ordinances entitled “No Parking on Certain Streets” to reflect no parking  
on Main Street both sides from the intersection with Haws Street in a  
general north/northeast direction to the intersection with Pierce Street.  
(Legal Affairs - Petition 15-08)

**PUBLIC FORUM, 7:45 P.M.**

**REGULAR MEETING OF THE CITY COUNCIL, 8:00 P.M.**

**ROLL CALL**

## COMMUNICATIONS

- C-33 Mayor Dean Mazzarella: Request the City Council set a hearing for the Classification of the tax rate on November 26, 2007 for the purpose of setting the Fiscal Year 2008 tax rate. (Finance)
- C-34 Relative to the appropriation of \$240,000.00 to the Municipal Buildings Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-35 Relative to the appropriation of \$75,000.00 to the Assessor's Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-36 Relative to the appropriation of \$100,000.00 to the Assessor's Revaluation Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-37 Relative to the appropriation of \$3,800.00 to the Health Department Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-38 Relative to the appropriation of \$11,500.00 to the Highway Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-39 Relative to the appropriation of \$50,000.00 to the Wire Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-40 Relative to the appropriation of \$62,000.00 to the Police Department Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-41 Relative to the appropriation of \$20,000.00 to the Highway Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-42 Mayor Dean Mazzarella: Request adoption of a resolution to support all steps necessary to build a new or renovated police facility. (Ways & Means and Public Safety).

10/9/07

## PETITIONS

- 25-08 David Fedeli: Expand my water usage from Leominster at the Tri-Town Drive In Theater on Youngs Road. (Public Service)
- 26-08 Wayne Nickel: Create a no parking zone on the easterly side of Whitney Street beginning at the corner of Whitney and Spruce and extending in a northeast direction to a point opposite National Grid pole #8. (Legal Affairs)
- 27-08 John M. Dombrowski, James Lanciani. Jr., Virginia A. Tocci, Robert Salvatelli, Richard Marchand, David Rowlands, and Wayne Nickel: Amend Section 22-4 of the Leominster Zoning Ordinance to add the following definition. "Athletic Training Facility: an indoor and/or outdoor facility for training, practicing, competition, demonstrations, and games by individuals and/or teams involved in athletics, cheerleading, and/or dance activities and any accessory uses related thereto "Also amend Section 22-26 (Table of Uses) as follows:
- | Uses                       | RRA  | RAA  | RB   | RC | BA | BB   | C    | I    |
|----------------------------|------|------|------|----|----|------|------|------|
| Athletic Training Facility | SPPB | SPPB | SPPB | N  | N  | SPPB | SPPB | SPPB |
- (Legal Affairs)
- 28-08 Carl Piermarini, Leominster Telecommunication Corp. for Gateway Business Center: Grant a Special Permit to use a portion of a building located in an Industrial Zone at 435 Lancaster Street and shown on Assessors Map 4443 as lot 1 for a television broadcasting studio. (Legal Affairs)
- 29-08 Patrick J. McCarty P.E., McCarty Engineering, Inc. for 155 Hamilton Street Realty Trust: Grant a Special Permit for excavation of property at 70-90 Lanides Lane located within the floodplain and shown on Assessor's Map 229 as lot 1 for the purpose of creating compensatory flood storage volume for the benefit of land located at 156 Hamilton Street. (Legal Affairs)
- 30-08 Patrick J. McCarty P.E., McCarty Engineering, Inc. for 155 Hamilton Street Realty Trust: Grant a Special Permit for excavation of property at 162 Hamilton Street located within the floodplain and shown on Assessor's Map 238, as lot 1-1 for the purpose of creating compensatory flood storage volume for the benefit of land located at 156 Hamilton Street. (Legal Affairs)
- 31-08 Patrick J. McCarty P.E., McCarty Engineering, Inc. for 155 Hamilton Street Realty Trust: Grant a Special Permit to construct a 6,000 square foot office and professional building with associated site improvements at 156 Hamilton Street shown on Assessor's Map 238 as lots 1-2 located within the floodplain. (Legal Affairs)

### **PETITIONS, continued**

- 32-08      John M. Dombrowski et al.: Request the Mayor engage a private consultant to conduct a feasibility study to determine the costs, benefits and detriments of building a new police station at the Jungle Road property owned by the City of Leominster vs. remodeling the Gallagher Building on Church street to serve as a new or additional police facility vs. entering into a long term lease with an option to renew at a facility constructed by a private developer at Orchard Hill Park Drive. (City Property)
- 33-08      New England Farm Workers' Council: Request permission to use the Leominster City Council Chambers to take Fuel Assistance applications on October 24<sup>th</sup>, 31<sup>st</sup>, November 5<sup>th</sup>, 19<sup>th</sup>, 26<sup>th</sup>, 30<sup>th</sup>, December 3<sup>rd</sup>, 17<sup>th</sup>, 20<sup>th</sup>, 2007 and January 3<sup>rd</sup>, 7<sup>th</sup>, 17<sup>th</sup>, 25, 28<sup>th</sup>, 2008. (City Property)
- 34-08      John M.Dombrowski et al.: Request that the City Council require as a condition to any amounts appropriated by the City Council, an "Appropriation Expenditure Summary" form be completed by the appropriate City Department Head and submitted to the City Council. ( Ways & Means)
- 35-08      Andrew Namerow: Grant a Hawkers & Peddlers license to sell balloons and toys along the parade route at the Halloween Parade on Saturday, October 27, 2007. (Ways & Means)
- 36-08      Christopher Blain: Grant a Hawkers & Peddlers license to sell balloons and toys at the Halloween Parade on Saturday, October 27, 2007. (Ways & Means)
- 37-08      Roland Blain: Grant a Hawkers & Peddlers license to sell balloons and toys at the Halloween Parade on Saturday, October 27, 2007. (Ways & Means)

### **APPOINTMENTS**

Election Officers – Fleur Ange Bachand, John P. Bulger, Andrew F. Filieo, Maria Tineo, Dr. Joan Nowlin Thompson, Todd Rousseau

Emergency Management Volunteers – Colin F. Sanabria, Alden C. Carpenter, Daniel P. Consalvo, David W. Poirier, Russell W. Valliere, Jr. Arline M. Stith, Chirstopher P. Brown, James A. Gazzano, Robert W. Ericson.

**MATTERS BEFORE THE CITY COUNCIL****FINANCE**

- C-17      Relative to the appropriation of \$40,500.00 to the Planning Department Expense Account; same to be transferred from the Emergency Reserve Account.
- C-25      Relative to the appropriation of \$288,736.00 to the Sewer Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-26      Relative to the appropriation of \$32,526.00 to the Water Department Capital Outlay Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-27      Relative to the appropriation of \$3,975.00 to the Sanitation and Drainage Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-28      Relative to the appropriation of \$25,000.00 to the Highway Overtime Account; same to be transferred from the Excess and Deficiency Account.
- C-29      Relative to the appropriation of \$61,000.00 to the Gallagher Building Expense Account; same to be transferred from the Gallagher Building Revolving Fund.
- C-30      Relative to the appropriation of \$6,500.00 to the Fire Department Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-31      Relative to the appropriation of \$115,000.00 to the Highway Capital Expense Account; same to be transferred from the Excess and Deficiency Account.
- C-32      Relative to the appropriation of \$130,000.00 to the Debt Service Principle Expense Account; same to be transferred from the Excess and Deficiency Account.

## **MATTERS BEFORE THE CITY COUNCIL, continued**

### **LEGAL AFFAIRS**

- 14-08 Steven P. Perla, Paul O. Perla, Paula M. Perla and Orlando J. Perla II: Amend Chapter 22 of the Revised Ordinances entitled "Zoning" to change the Leominster Zoning Map to rezone 1.08 acres by removing from the Residence A and Agriculture (RAA) District and including in the Commercial (C) District those portions of property at 1072-1072R Central Street, identified as Assessors' Map 501, Lots 4 and 9, that are not presently in the Commercial District, such that all of said lots will be included in the Commercial District.
- 20-08 M. Quan, Inc.: Grant a Special Permit for a Mixed Use Project under 20 acres at 40 Spruce Street located in an Industrial Zone and shown on Assessor's Map 21 as Lot 2, for a retail store. (A hearing is set for October 22, 2007 at 7:00 P.M.)
- 21-08 M. Quan, Inc.: Grant a Special Permit to repave an existing parking lot, driveway areas and to add drainage improvements at 40 Spruce Street located within the floodplain and shown on Assessor's Map 21 as Lot 2. (A hearing is set for October 22, 2007 at 7:15 P.M.)
- 22-08 David Barry: Grant a Special Permit for the demolition and reconstruction of an existing structure at 44 Pond Street located within the floodplain and shown on Assessor's Map 7 as Lot 5. (A hearing is set for October 22, 2007 at 7:30 P.M.)
- 23-08 Sergeant Michael Goldman: Amend the City of Leominster Ordinance entitled "No parking on Certain Streets" by deleting Kingman Drive (east side), from Granite Street southerly for a distance of one thousand one hundred fifty two feet and Kingman Drive (west side) and inserting in its place Kingman Drive both sides.
- 24-08 North Central Investment L.P.: Declare that Wilder Avenue be made a "One Way" Street with Vehicular travel only in an easterly direction on Wilder Avenue for vehicles exiting off of Central Street unto said Avenue.

### **PUBLIC SAFETY**

- 19-08 Sharon K. Testa: Requesting a pedestrian light at the intersection of Beth Avenue and Central Street.

10/9/07

## **MATTERS BEFORE THE CITY COUNCIL, continued**

### **SMALL BUSINESS & ECONOMIC DEVELOPMENT**

- C-16 Dean J. Mazzarella, Mayor: Approve the creation of the Litchfield Street Economic Opportunity Area under the Economic Development Incentive Program.

### **APPOINTMENTS**

Election Officers – Amanda Amicangelo, Mary A. Gallagher, John Isaac Going, Ida G. Kendall, Anna Mikels, Teresa A. Ramos, Marie J. Sharrigan

Council on Aging - Joan Mullaney-Term to expire April 15, 2008.  
(To fill the unexpired term of Don Bastarche)

### **OLD BUSINESS**

President's Drinking Water Oversight Committee

2<sup>nd</sup> Reading Ordinance - Amend Chapter 13, Section 23-34 of the Revised Ordinances entitled "No Parking on Certain Streets" to reflect no parking on Main Street both sides from the intersection with Haws Street in a general north/northeast direction to the intersection with Pierce Street.  
(Legal Affairs-Petition 15-08)

**MATTERS BEFORE THE CITY COUNCIL, continued****OLD BUSINESS, continued**

2<sup>nd</sup> Reading Ordinance – Amend Chapter 22 of the Revised Ordinances entitled “Zoning” by changing the Leominster Zoning Map, so that certain portions of Assessors Map 317, Parcel 5D are rezoned as follows, all as shown on a plan captioned “Sketch Showing Proposed Zoning Line Changes, Central Street,” dated April 27, 2007, prepared for Liberty Rental Corp. by Hannigan Engineering, Leominster, MA: Zoning Area “A” is changed from Residence C zone to Commercial zone; Zoning Area “B” is changed from Commercial zone to Residence C zone; Zoning Area “C” is changed from Commercial zone to Residence C zone; Zoning Area “D” is changed from Residence C zone to Commercial zone; Zoning Area “E” is changed from Commercial zone to Residence C zone and Zoning Area “F” is changed from Residence C zone to Commercial zone.(Legal Affairs – Petition 110-07)

**NEW BUSINESS**

Election Order: Municipal Election November 6, 2007

Lynn A. Bouchard  
City Clerk  
October 4, 2007